

1 AN ACT concerning military service.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Service Men's Employment Tenure Act is
5 amended by changing Sections 3, 5.1, and 5.2 as follows:

6 (330 ILCS 60/3) (from Ch. 126 1/2, par. 31)

7 Sec. 3. Definitions. The term "persons in the military
8 service", as used in this Act, shall include the following
9 persons and no others: All members of the Army of the United
10 States, the United States Navy, the Marine Corps, the Air
11 Force, the Coast Guard and all members of the State Militia
12 called into the service or training of the United States of
13 America or of this State. The term "military service", as used
14 in this Act, shall signify Federal service or active duty with
15 any branch of service heretofore referred to as well as
16 training or education under the supervision of the United
17 States preliminary to induction into the military service. The
18 term "military service" also includes any period of active duty
19 with the State of Illinois pursuant to the orders of the
20 President of the United States or the Governor.

21 The foregoing definitions shall apply both to voluntary
22 enlistment and to induction into service by draft or
23 conscription.

24 The term "political subdivision", as used in this Act,
25 means any unit of local government or school district.

26 (Source: P.A. 88-518.)

27 (330 ILCS 60/5.1)

28 Sec. 5.1. Stay of prosecution. During and for a period of
29 14 days after a period of military service with the State of
30 Illinois or in federal active duty service pursuant to the
31 orders of the President of the United States or the Governor, a

1 court having jurisdiction over the enforcement of any civil
2 obligation or liability, the prosecution of any civil suit or
3 proceeding, or the entry or enforcement of any civil order,
4 writ, judgment, or decree may stay, postpone, or suspend the
5 matter if the court determines that a person's failure to meet
6 the obligation is the direct result of the aforementioned
7 period of military service. The stay, postponement, or
8 suspension of proceedings does not in any way modify any
9 condition, obligation, term, or liability agreed upon or
10 incurred by a person in military service including but not
11 limited to accrued interest, late fees, or penalties. No stay,
12 postponement, or suspension shall be provided regarding any
13 written agreement entered into, or debt that is incurred, by
14 the person during or after his or her period of military
15 service.

16 (Source: P.A. 88-518.)

17 (330 ILCS 60/5.2)

18 Sec. 5.2. School attendance and tuition. Any person in
19 military service with the State of Illinois or in federal
20 active duty service pursuant to the orders of the President of
21 the United States or the Governor has the right to receive a
22 full monetary credit or refund for funds paid to any Illinois
23 public university, college or community college if the person
24 is placed into a period of military service ~~with the State of~~
25 ~~Illinois~~ pursuant to the orders of the President of the United
26 States or the Governor and is unable to attend the university
27 or college for a period of 7 or more days. Withdrawal from the
28 course shall not impact upon the final grade point average of
29 the person. If any person who has been enrolled in any Illinois
30 public university, college, or community college is unable to
31 process his or her enrollment for the upcoming term, he or she
32 shall have any and all late penalties and or charges set aside,
33 including any and all late processing fees for books, lab fees,
34 and all items that were not in place because the person was
35 engaged in military service and was unable to enroll in the

1 courses at the appropriate time. The rights set forth in this
2 Section ~~Sec.~~ are in addition to any rights afforded to persons
3 in military service with the State of Illinois or in federal
4 active duty service pursuant to the orders of the President of
5 the United States or the Governor under the policies of an
6 Illinois public university, college, or community college.
7 (Source: P.A. 88-518.)

8 Section 99. Effective date. This Act takes effect upon
9 becoming law.